

AMENDMENTS TO THE SPECIFICATION

Please amend the specification as follows:

[Page 16, ll. 6-24]

With reference to the flowchart in Fig. 6, the operation, after the beginning of the background formatting, of the optical disc drive 2 controlled by the controller 13 will now be described according to the first embodiment. Formatting in the background begins (Step S1). The controller 13 checks whether the user requests to store or reproduce data (Step S2). If the user requests to do so (Y branch of S2), the controller 13 further checks whether the disc is rotating at a speed suitable for the storing and reproducing of the user's request (S3). ~~If the disc is not rotating at a speed corresponding to the speed of storage and reproduction designated by the user~~ (N branch of S3), the controller 13 changes the rotating speed of the spindle motor 4 through the rotation control unit 10 (S4). The storing and reproducing of the user's request is performed (S5). The storage and reproduction requested by the user is controlled based on the CAV mode.

[Page 18, ll. 17-22]

Accordingly, the formatting process is always performed at the maximum speed at which the optical disc drive 2 can write, ~~regardless of the speed of the storage and reproduction requested by the user~~, and the period required for the background formatting is reduced.

[Page 23, ll. 3-22]

The background formatting begins (Step S1). The controller 13 checks whether the user requests to store or reproduce data (Step S2). If the user requests to do so (Y branch of S2), the controller 13 initializes (stops) a timer which will be described later (S18). The controller 13 checks whether the disc is rotating at a speed suitable for the storing/reproducing of the user's request (S3).

If ~~the disc is not rotating at a speed corresponding to the speed of storing/reproducing designated by the user~~ (N branch of S3), the controller 13 changes the rotating speed of the spindle motor 4 through the rotation control unit 10 (S4). The storage/reproduction of the user's request is performed (S5). The storage/reproduction of the user's request is controlled based on the CAV mode. After performing the storage/reproduction requested by the user, the controller 13 starts the timer which indicates a predetermined period in which the background formatting will not be performed.